

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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IN RE: Brian A. Lauritsen dba Lauritsen Transport LLC  
dba Lauritsen Transport  
Bobbie M. Lauritsen  
Debtor(s)

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LAKEVIEW LOAN SERVICING, LLC,  
its successors and/or assigns  
Movant

v.  
Brian A. Lauritsen dba Lauritsen Transport LLC dba  
Lauritsen Transport  
Bobbie M. Lauritsen  
Respondent(s)

and  
Lisa M. Swope, Trusted  
Additional Respondent

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BK. NO. 21-70307 JAD

CHAPTER 7

MOTION NO.  
FILED UNDER LOCAL BANKRUPTCY  
RULE 9013.4 SECTION 6(a)

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

Date: January 23, 2023

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**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Brian A. Lauritsen dba Lauritsen Transport LLC  
dba Lauritsen Transport  
Bobbie M. Lauritsen  
Debtor(s)

LAKEVIEW LOAN SERVICING, LLC,  
its successors and/or assigns

Movant

v.

Brian A. Lauritsen dba Lauritsen Transport LLC dba  
Lauritsen Transport  
Bobbie M. Lauritsen

Respondent(s)

and

Lisa M. Swope, Trustee

Additional Respondent

BK. NO. 21-70307 JAD

CHAPTER 7

MOTION NO.  
FILED UNDER LOCAL BANKRUPTCY  
RULE 9013.4 SECTION 6

**MOTION OF LAKEVIEW LOAN SERVICING, LLC, ITS SUCCESSORS AND/OR ASSIGNS  
FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER SECTION 362 PURSUANT TO BANKRUPTCY PROCEDURE RULE 4001**

Movant, by its attorneys, KML Law Group, P.C., hereby requests a termination of the Automatic Stay and leave to foreclose on its mortgage on real property owned by Debtor(s).

1. Movant is LAKEVIEW LOAN SERVICING, LLC, its successors and/or assigns.
2. Debtor(s), Brian A. Lauritsen dba Lauritsen Transport LLC dba Lauritsen Transport and Bobbie M. Lauritsen, is/are the owner(s) of the Property at 130 East 21st Avenue, Altoona, PA 16601 (“Property”).
3. Movant is the holder of a mortgage dated 5/23/2007 in the original principal amount \$155,050.00, which is secured by the Property. The Mortgage has been assigned as follows:
4. Movant has instituted or wishes to institute foreclosure proceedings on the Mortgage because of Debtor's failure to make the monthly payment required under the terms of the Mortgage.
5. The payoff due on the Mortgage is \$129,545.05.
6. Debtor(s) has/have failed to make the monthly payments of \$1,160.73 for the months of April 2021 through July 2021; \$1,161.77 for the months of August 2021 through November 2021; and \$1,161.57 for

the months of December 2021 through December 2022.

7. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred legal fees and legal costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

8. The amount necessary to reinstate the loan is \$22,973.28.

9. The fair market value of the Property is \$170,000.00.

10. The Senior Lien Holders on the Property are none.

11. The Junior Lien Holders on the Property are none.

12. The foreclosure proceeding filed or to be instituted were stayed by the filing of the instant Chapter 7 Petition.

13. The debtor(s) has/have no or inconsequential equity in the Property.

14. Movant has cause to have the automatic stay terminated so as to permit Movant to pursue its rights and remedies under the subject loan documentation.

15. Defendant, Lisa M. Swope is the Trustee appointed by the Honorable Court.

16. This motion and the averments contained therein do not constitute a waiver by the Moving Party of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant respectfully requests that this Court enter an Order modifying the Automatic Stay under Section 362 with respect to the Property as to permit Movant to foreclose its Mortgage and allow Movant or any other purchaser at Sheriff's Sale to take legal action for enforcement of its right to possession of the Property.

Date: January 23, 2023

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